

Appl. No. 09/879,580
Amdt. dated March 22, 2005
Reply to Office action of February 28, 2005

REMARKS

Claims 1, 5, 6, 13 and 14 remain in this application. Claim 1 is presently amended to clarify that the "thereon" previously in claim 1 refers to the friction surface.

The Declaration stands objected to. The objection is respectfully transversed, as the priority date on the declaration is consistent with the priority date on the filing receipt and the translation copy previously submitted.

Claims 1, 5, 6, 13 and 14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,425,680 to Young in view of U.S. Patent Nos. 5,984,815 to Baddaria and 5,184,982 to Shimaya et al. The Applicant respectfully asserts that claims 1, 5, 6, 13 and 14, as presently recited, are not unpatentable over Young in view of Baddaria and Shimaya.

Baddaria does not disclose a friction surface between the second blade shoe portion and the sliding face of the base. Baddaria merely discloses the use of a pair of blade springs.

Young does not disclose the use of a plurality of blade springs. In addition, as the Office action recognizes, "Young does not disclose a friction surface between the second blade shoe portion and the sliding face of the base." (Office action, p. 3.)

Shimaya does not disclose a friction surface disposed between a second blade shoe portion and a sliding face of the base. Shimaya discloses a pad 49 attached to a lever 47, in contact with a plunger 44. The purpose of the "outer anti-slip walls" of the pad is to prevent the plunger from slipping off of the pad convex face when the plunger pushes against the pad. (See Col. 4, ll. 24-26, 40-48). Because the pad of Shimaya is attached to the lever, the lever arm is plainly not slidable on the pad. Shimaya also does not disclose a blade shoe having an end slidable upon a friction surface. Shimaya, in addition, does not disclose the

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use of blade springs in a tensioning system or the ability of its pad and plunger system to dampen vibrations in a blade spring tensioner.

Thus, the cited art provides no motivation for the Office Action's asserted combination of Shimaya, Young and Baddaria. Even if there were motivation in each of Young, Baddaria and Shimaya for their combination, their combination would not result in the claimed blade spring tensioner.

Furthermore, Shimaya teaches away from the asserted combination by addressing a problem unique to plunger-actuated blade shoes. More specifically, Shimaya purportedly addresses a problem in the prior art of forces transmitted from the lever to the plunger that are non-axial relative to the plunger. Shimaya describes that these non-axial forces have a component F_2 perpendicular to the axis of the plunger, which can cause the plunger 25 to contact frame 32 at a location "A" which results in the eventual wear of the plunger and of the frame at location "A". (Col. 3, ll. 53-64.) Blade tensioners do not require a plunger, and thus do not require the lever disclosed by Shimaya to address the wear between the plunger and frame.

With respect to claim 1, Shimaya further does not disclose that its blade shoe is slidable against a base portion or that the pad 49 provides a dampening function. With respect to claim 13, Shimaya also does not disclose a friction surface between a second portion of a shoe and a base sliding surface. In addition, the Office action asserts that pad 49 comprises the friction surface of claims 1 and 13, and by dependency in claims 5, 6 and 14. However, there is no disclosure in Shimaya that the coefficient of friction between the pad 49 and the lever 47 is sufficient to, or will, and to damp vibrations in a blade tensioner.

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For the reasons set forth above, Applicant contends that claims 1, 5, 6, 13 and 14 are in condition for allowance. Please charge any fees required by this amendment to Deposit Account No. 06-1135.

Respectfully submitted,



Jon A. Birmingham
Registration No. 51,222
FITCH, EVEN, TABIN & FLANNERY
120 S. LaSalle Street, Suite 1600
Chicago, Illinois 60603-3406
Telephone: (312) 577-7000
Facsimile: (312) 577-7007

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